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OFFICIAL

FAX MESSAGE - PLEASE DELIVER IMMEDIATELYSend to: Examiner Eileen B. O'Hara
Art Unit 1646
U.S. PTOFAX: ~~703-308-4242~~
703-872-9306From: Rosemary Sweeney
Patent Counsel
206-265-7817

Date: April 12, 2004

No. of pages including this page:

4

OFFICIAL CORRESPONDENCE

U.S. Serial No. 09/907,263
Filed: July 17, 2001

Please see attached correspondence.

If transmission problems occur contact DeDe Lindholm at 206.265.7923.

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VIA FACSIMILE 703-308-4242

April 12, 2004

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Examiner Eileen B. O'Hara, Art Unit 1646
United States Patent and Trademark Office
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

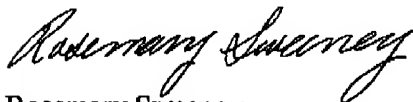
Re: US Patent Application No.: 09/907,263
Filed: July 17, 2001
Applicants: Alison M. Bendele et al.
Title: COMBINATION THERAPY USING A TNF BINDING
PROTEIN FOR TREATING TNF-MEDIATED DISEASES
Group Art Unit: 1646
Our ref: A-430F

Dear Examiner O'Hara:

Thank you for your phone calls to Diana Sheiness of April 7 and 8 inquiring about the above-referenced case. Enclosed is a copy of a Notice of Appeal filed February 20, 2004, together with a copy of the return postcard evidencing receipt by the Patent Office. Thus, I believe that this case is still pending. If you do not agree, please contact me at your earliest convenience.

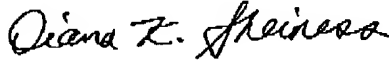
Since I have recently been assigned responsibility for this case, you may direct any future inquiries to me at the address listed above or the direct dial phone number listed below. Please do not hesitate to contact me. Thank you for your assistance with this matter.

Sincerely,



Rosemary Sweeney
Patent Counsel
Reg. No. 52,264
Direct Dial Phone: 206-265-7817
sweeneyr@amgen.com

Enclosures

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO BOARD OF PATENT APPEALS AND INTERFERENCES			ATTORNEY'S DOCKET NO.: A-430F
SERIAL NO: 09/907,263	FILING DATE: 07/17/2001	EXAMINER: O'Hara, Eileen B.	GROUP ART UNIT 1646
IN RE APPLICATION OF: Alison M. BENDELE et al.			
For: COMBINATION THERAPY USING A TNF BINDING PROTEIN FOR TREATING TNF-MEDIATED DISEASES			
TO THE COMMISSIONER FOR PATENTS: Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated <u>August 25, 2003</u> of the Primary Examiner finally rejecting claims <u>1, 28-33, 36, 37 and 39-41</u> . <input type="checkbox"/> Notice of Appeal fee not required (fee paid in prior appeal of this application) <input checked="" type="checkbox"/> Notice of Appeal fee \$330.00 (37 CFR 1.17 (b)) <input checked="" type="checkbox"/> Applicant(s) petition(s) under 37 CFR 1.136 for an extension of time to file the foregoing Notice of Appeal as follows: <input type="checkbox"/> One month (\$110.00) <input type="checkbox"/> Two months (\$420.00) <input checked="" type="checkbox"/> Three months (\$950.00) Please charge Deposit Account No. 01-0519 in the name of Amgen Inc. in the amount of \$ <u>1,280.00</u> . The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 01-0519. An original and one copy are enclosed. <div style="text-align: right;">Respectfully submitted,  Diana K. Sheiness Attorney/Agent for Applicants Registration No.: 35,356 Phone: (206) 265-4818 Date: February 20, 2004</div> Please send all future correspondence to: Amgen Inc. Law Department 1201 Amgen Court West Seattle, Washington 98119 (206) 587-0430			

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

February 20, 2004

Date


Signature

THE PATENT OFFICE IS HEREBY REQUESTED TO ACKNOWLEDGE
RECEIPT OF THE FOLLOWING DOCUMENTS BY DATE STAMPING
AND RETURNING THIS POST CARD

Applicant:s: Alison M. BENDELE et al

Serial No: 09/907,263

Filed: July 17, 2001

Title: COMBINATION THERAPY USING A TNF BINDING PROTEIN
FOR TREATING TNF-MEDIATED DISEASES

Examiner: O'Hara, Eileen B.
Group Art Unit: 1646

1) Notice of Appeal / Request for 3-mo EOT (1 pg. + 1 copy)

Docket No.: A-430F
DKS/dfi

Via First Class Mail

February 20, 2004

